

8-30-83
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3291

AN ORDINANCE approving the application of the Seattle Water Department to construct a permanent water pump station located on the southwest corner of 148th Avenue S.E. and S.E. 28th Street, as recommended by the Hearing Examiner.

WHEREAS, the Seattle Water Department has applied to the City for a conditional use to construct a permanent water pump station located on the southwest corner of 148th Avenue S.E. and S.E. 28th Street; and

WHEREAS, on January 13, 1983, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on April 1, 1983, the Hearing Examiner recommended approval of said conditional use and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, on June 16, 1983, a public hearing was held by the Hearing Examiner to consider further evidence from all parties; and

WHEREAS, on June 30, 1983, the Hearing Examiner recommended to the City Council approval of said conditional use and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter as set forth in "Findings and Recommendation of the Hearing Examiner, File No. HE-D 82-22," dated April 1, 1983, and "Supplemental Findings and Recommendation," dated June 30, 1983, "In the Matter of the Applications of Seattle Water Department For a Conditional Use, File Nos. HE-D 82-22, HE-D 82-23."

8-30-83
5645G

Section 2. The City Council hereby approves the conditional use application of the Seattle Water Department to construct a permanent water pump station located on the southwest corner of 148th Avenue S.E. and S.E. 28th Street, and more particularly described as:

That portion of the southeast quarter of the northeast quarter of Section 10, Township 24 North, Range 5 East, W.M., in King County, State of Washington, described as follows:

Beginning at the intersection of the south margin of Southeast 28th Street as conveyed by deed recorded under King County Recording Number 100758, and the southwesterly margin of 146th Place Southeast as established in 1947 as the Newcastle Road Revision; thence westerly along said south margin a distance of 105.00 feet; thence south at right angles to said south margin a distance of 130.00 feet; thence east along a line parallel with said south margin a distance of 100 feet; thence north at right angles to the last described line a distance of 45.00 feet; thence east along a line parallel with said south margin a distance of 38 feet, more or less, to said southwesterly margin of 146th Place Southeast; thence northwesterly along said southwesterly margin to the point of beginning.

Provided this conditional use is conditioned on full compliance by the owner or owners of the property described herein, their heirs, assigns, grantees and successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by the Seattle Water Department, which has been given Clerk's Receiving No. 8702, and which by this reference is fully incorporated herein.

Provided further that this approval of said conditional use is conditioned on full compliance by the owner or owners, developer and developers, and their heirs, assigns, grantees and successors in interest with the plans and attachments, conditions, commitments, reports and other documents relating to this conditional use, given Clerk's Receiving No. 8703, which are hereby by this reference fully incorporated herein.

Section 3. The conditional use granted herein is subject to all federal, state and local laws, rules and regulations, including but not limited to Bellevue Land Use Code Sections 20.30.875, 20.30.880 and 20.30.885.

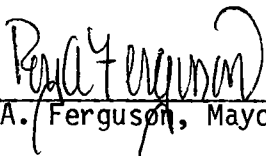
Section 4. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be

8-29-83
5645G

in force five days after the date of posting.

PASSED by the City Council this 19th day of September 1983,
and signed in authentication of its passage this 19th day
of September 1983.

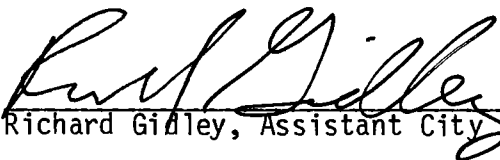
(SEAL)



Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney



Richard Gidley, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published September 24, 1983